

Prepared By:  
City of Harrisburg  
301 E Willow St, PO Box 26  
Harrisburg, SD 57032  
(605) 743-5872

## **RESOLUTION 2017-05**

### **A RESOLUTION TO VACATE PUBLIC RIGHT-OF-WAY.**

**WHEREAS**, a plat has been submitted to the Planning & Zoning Administrator that requests the vacation of the east 83 feet of the alley in Block 9 of Thorson's North Harrisburg Addition to the City of Harrisburg as well as well as a 6' wide strip of Willow Street right-of-way adjacent to Lots 1, 2, and 3 of Thorson's North Harrisburg Addition; and

**WHEREAS**, the alley has not served the purpose of public access or been used as a street or alley to serve adjoining properties for well over twenty years; and

**WHEREAS**, the vacation of the small portion of the Willow Street right-of-way will resolve a 100-year old building encroachment into the public right-of-way; and

**WHEREAS**, the City Council has held a public hearing to accept public input on the proposed right-of-way vacations after publication as required by SDCL 9-45-10 and 11;

**NOW THEREFORE BE IT RESOLVED** by the Common Council of the City of Harrisburg, South Dakota, that the public rights-of-way so described above are hereby vacated and may be included in the replat of Lots 1, 2, and 3 of Thorson's North Harrisburg Addition;

**NOW THEREFORE BE IT FURTHER RESOLVED** by the City of Harrisburg that this resolution shall become effective according to law.

Dated at Harrisburg, South Dakota, this 1<sup>st</sup> day of May, 2017.

COMMON COUNCIL OF THE CITY OF HARRISBURG

Seal:  
Attest:

\_\_\_\_\_  
Mayor

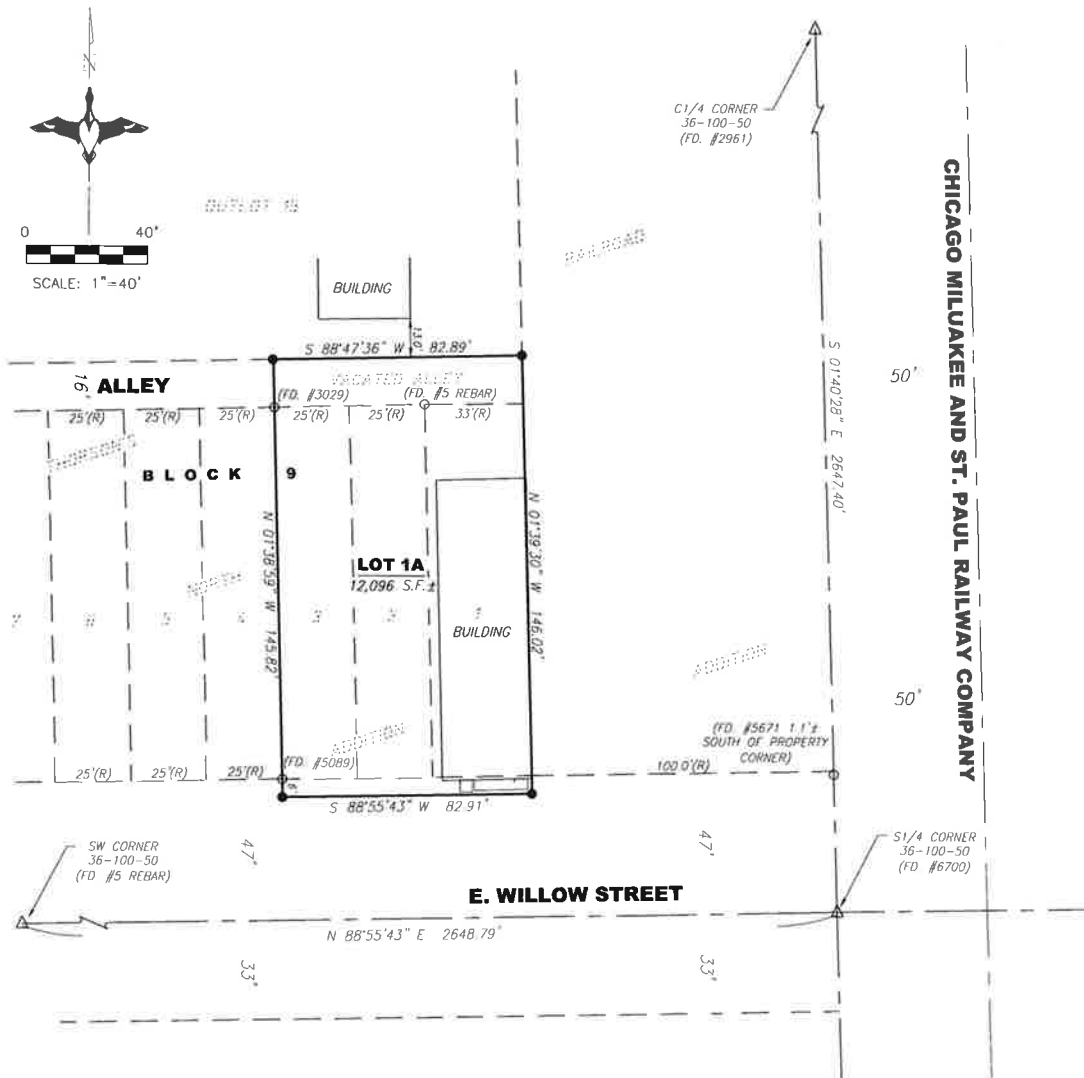
\_\_\_\_\_  
Finance Officer

Published:  
Effective:

Published once at the cost of \_\_\_\_\_.

# LOT 1A IN BLOCK 9 OF THORSONS NORTH ADDITION

AN ADDITION TO THE CITY OF HARRISBURG, LINCOLN COUNTY, SOUTH DAKOTA.



## LEGEND:

- SET 5/8" x 18" REBAR W/CAP #9592
- FD. MONUMENT (AS NOTED)
- ✕ FD. CHISELED "X"
- (R) RECORD INFORMATION
- AC. ACRES
- S.F. SQUARE FEET
- U.E. UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- R/W RIGHT-OF-WAY
- R.L.C. RECORDS OF LINCOLN COUNTY
- N.T.S. NOT TO SCALE
- PREVIOUSLY PLATTED LINE
- EASEMENT LINE

## NOTES:

BASIS OF BEARINGS ARE ASSUMED

THIS PLAT WAS PREPARED WITHOUT THE  
BENEFIT OF A TITLE COMMITMENT.



PREPARED BY:

**Midwest**  
Land Surveying, Inc.

Land Surveying and GPS Consulting  
211 E. 14th Street Suite 400  
Sioux Falls, South Dakota 57104  
Phone: (605) 339-8901 FAX: (605) 274-8951



# LOT 1A IN BLOCK 9 OF THORSONS NORTH ADDITION

AN ADDITION TO THE CITY OF HARRISBURG, LINCOLN COUNTY, SOUTH DAKOTA.

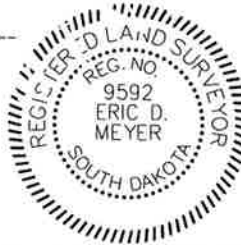
## SURVEYOR'S CERTIFICATE

I, Eric D. Meyer, a Registered Land Surveyor in the State of South Dakota, do hereby state that I did, on or before this date, survey Lot 1, 2, and 3 in Block 9 of Thorsons North Addition, an Addition to the City of Harrisburg, Lincoln County, South Dakota, and did re-plot the same into Lot 1A in Block 9 of Thorsons North Addition, an Addition to the City of Harrisburg, Lincoln County, South Dakota, as shown on the foregoing PLAT.

The same shall be known and described as the PLAT OF LOT 1A IN BLOCK 9 OF THORSONS NORTH ADDITION, AN ADDITION TO THE CITY OF HARRISBURG, LINCOLN COUNTY, SOUTH DAKOTA.

I further certify that the above PLAT correctly represents the same, is true and correct and that it was made at the request of the owners.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



Eric D. Meyer, Registered Land Surveyor No. 9592

## CITY PLANNING AND ZONING ADMINISTRATOR CERTIFICATE

I, the undersigned, City Planning and Zoning Administrator of the City of Harrisburg, do hereby certify that this plat has been approved by me or my authorized agent and that the City Finance Officer is hereby directed to certify the same thereon.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Planning and Zoning Administrator  
City of Harrisburg, South Dakota

## FINANCE OFFICER CERTIFICATE

I, the undersigned, the duly appointed, qualified and acting Finance Officer of the City of Harrisburg, South Dakota, hereby certify that the certificate of approval is true and correct including the signature thereon, and that any special assessments which are liens upon the land shown in the above plat, as shown by the records in my office, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, have been paid in full.

\_\_\_\_\_  
City Finance Officer  
Harrisburg, South Dakota

## OWNER'S CERTIFICATE

I, the undersigned, do hereby certify that I am the owner of all land included in the above plat and that said plat has been made at my request and in accordance with my instructions for the purposes of transfer, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

I hereby dedicate to the public for public use forever, the streets, roads, alleys, parks and public grounds, if any, as shown on said plat, including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under the streets, roads, alleys, parks and public grounds whether such improvements are shown or not. I also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone, cable television, or other public utility lines or services, under, on or over those strips of land designated hereon as easements.

We hereby waive any rights of protest to any special assessment program which may be initiated for the purpose of installation of improvements required by the Subdivision Ordinance of the City of Harrisburg.

I do hereby certify that this re-plot will not place any existing lot or building in violation of any applicable ordinance, code, regulation, or law including but not limited to zoning, building, subdivision, and flood prevention.

I further certify that this platting of said described Plat of Lot 1A in Block 9 of Thorsons North Addition, an Addition to the City of Harrisburg, Lincoln County, South Dakota does hereby vacate the following platting:

Lots 1, 2, and 3 in Block 9 of Thorsons North Addition, an Addition to the City of Harrisburg, Lincoln County, South Dakota, together with the 16' wide Alley adjacent thereto and 6' of Willow Street adjacent thereto, on file at the office of the Register of Deeds in Book B of plats, Page 67, said plat, hereby vacated, being situated within described Thorsons North Addition as surveyed.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
Nirburg, L.L.C.

Its: \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_ of Nirburg L.L.C., a corporation, and that they, as such \_\_\_\_\_, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by themselves as \_\_\_\_\_.

In witness whereof I hereunto set my hand and official seal

Notary Public - State of \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

## TREASURER

I, the Treasurer of Lincoln County, South Dakota, do hereby certify that all taxes which are liens upon any land shown in the above (and the foregoing) plats, as shown by the records of my office have been paid in full.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
TREASURER  
Lincoln County, South Dakota

## DIRECTOR OF EQUALIZATION

I, the Director of Equalization of Lincoln County, South Dakota, do hereby certify that a copy of the above and foregoing described plat has been filed in my office.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
DIRECTOR OF EQUALIZATION  
Lincoln County, South Dakota

## REGISTER OF DEEDS

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at

\_\_\_\_\_ o'clock, \_\_\_\_\_ m., and recorded in Book \_\_\_\_\_ of Plats on Page \_\_\_\_\_.

\_\_\_\_\_  
REGISTER OF DEEDS  
Lincoln County, South Dakota

## CERTIFICATE OF ROAD AUTHORITY

I, \_\_\_\_\_ (Name), \_\_\_\_\_ (Title) of the

\_\_\_\_\_ (Agency), do hereby certify that this plat and access location has been reviewed by me or my authorized agent and that this plat is recommended for approval.

By: \_\_\_\_\_

TITLE: \_\_\_\_\_

## PREPARED BY:



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